

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

No. 2:04-CR-24


CARMEN LORETTA BANKS,)
)
v.)
)
UNITED STATES)
)
)
_____)

ORDER

This matter is before the Court on *pro se* Plaintiff's Motion inquiring whether he qualifies for a sentence reduction under the "new crack disparity law." Petitioner also requests counsel.

Petitioner pled guilty and was sentenced in 2005. As the Fair Sentencing Act of 2010 does not apply retroactively, it cannot apply to Petitioner's sentence. See, e.g., U.S. v. Bullard, -- F.3d ----, 2011 WL 1718894 (4th Cir. 2011). Therefore, Petitioner's motion is DENIED.

SO ORDERED, this 26 day of June, 2011.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE